REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-21 are pending in the application. The original claims have been amended where appropriate to better define the claimed invention. New claims 15-21 have been added to provide Applicants with the scope of protection to which they are believed entitled. The amended/new claims find solid support in the original specification, e.g., at page 19, lines 12-13, page 22, lines 3-17 and page 23, lines 10-23 of the specification, and the original drawings, e.g., Fig. 7. The Abstract has been revised to be compliant with commonly accepted US patent practice. No new matter has been introduced through the foregoing amendments.

The claim objections are believed overcome as claims 1 and 8 have been amended in the manner kindly suggested by the Examiner in the Office Action.

The art rejections relying primarily on *Blenke* (U.S. Patent No. 5,525,175) are noted. The reference appears to disclose an apparatus and method for applying curved elastics to a moving web. The elastics 22 are guided by guides 44/46 which are slidable in the cross direction (CD) 152 along slides 48. *See Blenke* at Fig. 2. The guides 44/46 are optionally rotatable either in the direction indicated by arrow 81 (Figs. 2 and 2A) or in the direction indicated by arrow 86 (Fig. 2B). In the former case, a motor 82 (Fig. 2A) is provided at a location remote from the guides 44/46 and is indirectly coupled to the guides 44/46 via a plurality of belts and pulleys. *See Blenke* at column 8 line 50. In the latter case, a second servomotor (not shown) is provided to rotate the guides 44/46 about pivots 84. *See Blenke* at column 9 lines 5-10. The reference does not include any disclosure of whether the shaft of such second servomotor is directly connected to the guides 44/46 or not.

Thus, the primary reference does not fairly teach or disclose at least the limitation of the independent claims that the arm is connected directly with the rotary shaft of the motor. An advantage of the claimed arrangement has been disclosed in the specification at the sentence bridging pages 24-25, i.e., disadvantages associated with the conventional use of belts and pulleys can be avoided.

Blenke in the embodiment of Figs. 2 and 2A repeats the exact conventional structure criticized in the specification of the instant application, using belts and pulleys to connect motor 82 to guides 44/46. The *Blenke* connection between motor 82 and guides 44/46 is indirect and does not anticipate the claimed direct connection.

In the alternative embodiment of Fig. 2B, *Blenke* does not teach the claimed direct connection either explicitly or implicitly, failing to provide an *enabling* disclosure of how any servomotor can be attached to the guides 44/46.

The above deficiencies of *Blenke* are not curable by the teaching reference, and therefore independent claims 1 and 8 are patentable over the applied art of record.

The dependent claims are considered patentable at least for the reasons advanced with respect to the respective independent claims. The new dependent claims are also patentable on their own merits since these claims recite other features neither disclosed, taught nor suggested by the applied art, as will be apparent to the Examiner upon reviewing these claims.

New claims can be added to further highlight distinctions between the disclosed embodiments of the present invention and the applied reference. For example, the rotary shaft of the motor in the disclosed embodiments is stationary relative to the rotary shafts or axes of the rollers.

Another distinction resides in the disclosure that the elastics are selectively bonded only in regions corresponding to the leg openings and subsequently cut to obtain diapers of the type disclosed in Fig. 7.

For example, as to claims 15-16, the applied references, especially *Blenke*, do not fairly teach or suggest that an axis of said rotary shaft is stationary relative to the axes of said press rolls. In *Blenke*, the shafts of the motors (e.g., 82) are moveable relative to the axes of the roller due to the sliding movement of the whole guiding structure along slides 48.

As to claim 17, the applied references, especially *Blenke*, do not fairly teach or suggest that said elastic members are attached to said web by means of the adhesive only in regions corresponding to leg openings of the disposable wearing article being manufactured. The claim finds support in at least Fig. 7 as the corresponding text of the application as filed. *Blenke* does not teach or suggest such feature.

As to claim 18, the applied references, especially *Blenke*, do not fairly teach or suggest controlling rotational oscillating movements of the arm of each said guide means such that at least one of (i) the desired layout and (ii) a stretching ratio of the elastic members fed by one guide means is different from that of the elastic members fed by the other guide means. In *Blenke*, the layout or stretching ratio of the elastic members appear to be identical. *See*, e.g., Fig. 6 of *Blenke*.

As to claim 19, the applied references, especially *Blenke*, do not fairly teach or suggest that a rotational axis about which the arm swings coincides with a rotational axis of said rotary shaft. In addition, elements 44/46 of *Blenke* swinging about pivots 84 do not resemble arms; they are square pieces.

As to claims 20-21, the applied references, especially *Blenke*, do not fairly teach or suggest the claimed arrangement of a further set of nip and guiding mechanism downstream of the first set

of nip and guiding mechanism for individually the elastic members.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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